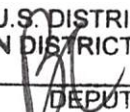


FILED

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

OCT 12 2022

for the
WESTERN District of TEXASCLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERKUnited States of America
v.
MOISES JAEKOB VARGAS

Case No. SA-22-MJ-1548

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 19, 2022 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 18 U.S.C. § 2252A(a)(2)

Distribution of Child Pornography

Penalties: 5 years min. to max. 20 years imprisonment, \$250,000 fine,
life SR, \$100 SA, \$5,000 assessment pursuant to JVT A, \$35,000
assessment pursuant to VRA of 2018, forfeiture, and restitution and
registration as a sex offender.

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

LARRY BAKER

Digitally signed by LARRY BAKER
Date: 2022.10.12 10:27:30 -05'00'

Complainant's signature

Larry Baker, FBI Special Agent

Printed name and title

- ☐
- Sworn to before me and signed in my presence.
-
- ☒
- Sworn to telephonically and signed electronically.

Date:

10/12/2022City and state: San Antonio, Texas

Judge's signature

Henry J. Bemporad, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Larry Baker, being duly sworn, depose and say that:

1. I am a Special Agent with the Federal Bureau of Investigation and am assigned to the Federal Bureau of Investigation ("FBI") San Antonio Child Exploitation Task Force ("SACETF") in the San Antonio Division of the FBI. I have been a Special Agent since January 1999. In my capacity as a member of the SACETF, I am assigned to the Violent Crimes against Children Section and as such, I investigate crimes against children, including the trafficking, possession, and production of child pornography and the sexual exploitation of children. I have received particularized training in the investigation of computer-related crimes, peer-to-peer computer networking, and online (i.e. Internet based) crimes against children. I have been involved in numerous investigations of individuals suspected of producing, distributing and receiving child pornography and have participated in the execution of numerous search warrants which have resulted in the seizure of multiple items of child pornography. I have had the occasion to become directly involved in investigations relating to the sexual exploitation of children and have gained experience in the conduct of such investigations through formal training and on-the-job training.

2. This affidavit is being submitted in support of a Criminal Complaint for **MOISES JAEKOB VARGAS**, date of birth XX/XX/XXXX.

3. The factual information supplied in this affidavit is based upon your Affiant's own investigation of this matter, as well as information provided by other law enforcement officers. Since this affidavit is submitted for the purpose of securing an arrest warrant, it does not include every fact known to the affiant concerning this investigation. The affiant has set forth facts that he believes establish probable cause to believe that **MOISES JAEKOB VARGAS**, has violated the provisions of Title 18, U.S.C., Section 2252A(a)(2)– Distribution of Child Pornography.

4. On July 19, 2022, a Confidential Human Source (CHS) working with the FBI to identify other individuals trafficking in child sexual abuse material, conducted a text-based conversation within the Telegram application with the Telegram user, "Jaykob" who was determined to be **MOISES JAEKOB VARGAS**. During this conversation, "Jaykob" distributed two video files to the CHS's Telegram account. At the FBI's

direction, the CHS did not view or download these files, and the video files were reviewed by FBI Special Agents. They can be further detailed as:

- a. IMG_1478.mp4: A 37 second video depicting an approximately 10-year-old male engaging in anal sex with what is potentially an adult male. During the video, an erect penis can be seen inserted in the approximately 10-year-old male's anus.
- b. IMG_1498.mov: A 1 minute and 6 second video depicting a pubescent male, approximately 14 years old, performing oral sex on an adult male.

5. On October 11, 2022, Vargas was located at his apartment in San Antonio, Texas, by Affiant and other FBI Agents and state law enforcement officers and a federal search warrant was executed on VARGAS' person, his residence, and his cellular telephone. During a post-*Miranda* interview, VARGAS stated he utilized the social networking application Telegram, formerly housed on his iPhone, to receive and distribute child pornography files to other individuals, to include the CHS. Affiant showed VARGAS a text-based Telegram conversation between CHS and VARGAS, conducted on July 19, 2022, that was obtained from CHS's cellular telephone. VARGAS recalled interacting with CHS via Telegram and distributing child pornography files to the CHS. VARGAS was shown screen shots generated by Affiant of the child pornography video files that were transmitted to the CHS on July 19, 2022, and he recognized these screen shots as coming from child pornography video files that VARGAS obtained via Telegram and at one time possessed.

6. VARGAS was within the Western District of Texas in San Antonio, Texas at the time he utilized the internet application Telegram to distribute the files described above to the CHS.

7. Based on the aforementioned facts, your Affiant respectfully submits that there is probable cause to believe that on or about July 19, 2022, within the Western District of Texas, **MOISES JAEKOB VARGAS**, did knowingly distribute child pornography as defined in Title 18, United States Code, Section 2256(8)(A) using any means and facility

of interstate and foreign commerce by any means, including by computer, in violation Title 18, United States Code, Section 2252A(a)(2).

FURTHER AFFIANT SAYETH NOT,

LARRY
BAKER

Digitally signed by LARRY
BAKER
Date: 2022.10.12
10:28:12 -05'00'

Special Agent Larry Baker
FBI San Antonio

SWORN TO TELEPHONICALLY AND SUBSCRIBED ELECTRONICALLY ON THIS
DAY OF OCTOBER 12, 2022.



THE HONORABLE HENRY J. BEMPORAD
UNITED STATES MAGISTRATE JUDGE